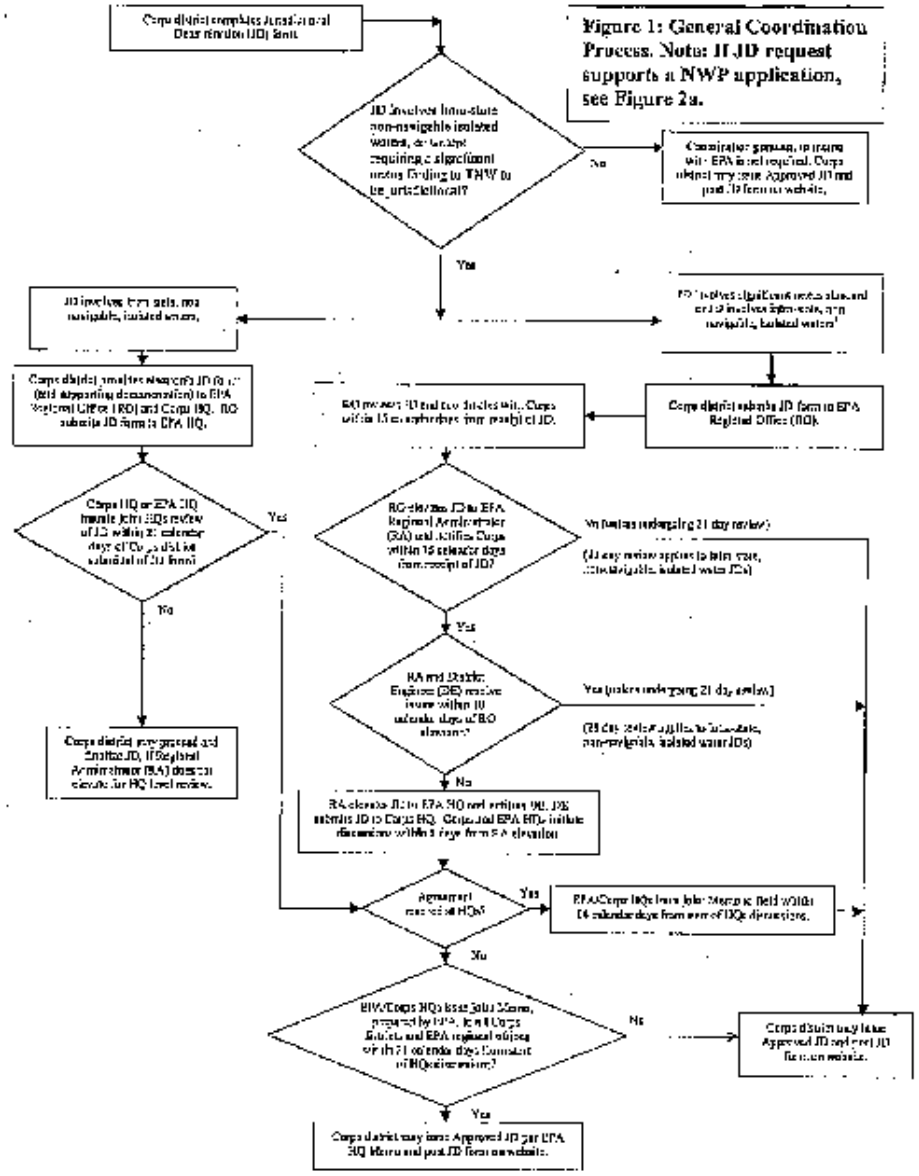
Corps district completes Jurisdictional Determination (JD) form.
JD involves intra-state non-navigable isolated waters, or water requiring a significant nexus finding to TNW to be jurisdictional?
No
Yes
Corps district may issue Approved JD and post JD form on website.
JD involves non-navigable, isolated waters.
JD involves significant nexus finding and JD involves intra-state, non-navigable, isolated waters?
Corps district emails waters/no JD (w/ field supporting documentation) to EPA Regional Office (RO) and Corps HQ. RO submits JD form to EPA HQ.
RO reviews JD and has 15 calendar days from receipt of JD.
Corps district submits JD form to EPA Regional Office (RO).
Corps HQ or EPA HQ initiate joint JDs review of JD within 21 calendar days of Corps district submittal of JD form?
Yes
No
RO elevates JD to EPA Regional Administrator (RA) and notifies Corps within 15 calendar days from receipt of JD?
Yes (all waters undergoing 21 day review)
(21 day review applies to intra-state, non-navigable, isolated waters JDs)
RA and Deputy Regional Administrator (DRA) resolve issue within 10 calendar days of RO elevation?
Yes (waters undergoing 21 day review)
(21 day review applies to intra-state, non-navigable, isolated waters JDs)
No
Corps district may proceed and finalize JD, if Regional Administrator (RA) does not elevate for HQ-level review.
RA elevates JD to EPA HQ and within 10 days submits JD to Corps HQ. Corps and EPA HQs initiate discussions within 5 days from RA elevation
Agreement reached at HQs?
Yes
EPA/Corps HQs issue Joint Memo to field within 14 calendar days from start of HQs discussions.
No
EPA/Corps HQs issue Joint Memo, prepared by EPA, to all Corps districts and EPA regional offices within 21 calendar days (consistent with HQs discussions)?
No
Corps district may issue Approved JD and post JD form on website.
Yes
Corps district may issue Approved JD per EPA HQ Memo and post JD form on website.

Figure 1: General Coordination Process. Note: If JD request supports a NWP application, see Figure 2a.